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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,610	12/05/2003	Lawrence Johnson	112025-0421C1	2516
24267	7590	07/14/2005	EXAMINER	
CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210			AL AUBAIDI, RASHA S	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/728,610

Applicant(s)

JOHNSON ET AL.

Examiner

Rasha S. AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed on April 01, 2005 has been entered. No claims have been amended. No claims have been canceled. No claims have been added. Claims 1-23 are still pending in this application, with claims 1, 8, and 15 being independent.

***Claim Rejections - 35 USC § 103***

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crockett (US PAT # 5,590,188) in view of Bell et al (US PAT # 6,549, 619).

Regarding claims 1-2, Crockett teaches a method for controlling call routing by a communication system (see col. 2, lines 34-35), comprising: receiving a call (Crockett teaches receiving calls, see For example, col. 4, lines 59-62 and col. 6, lines 25-27); executing a script in response to receiving said call (this reads on the "Rules") said script having instructions that when executed by the system control routing of said call in the system, the script including at least one call routing instruction that references variable (see col. 2, lines 37-50, col. 3, lines 8-17 and lines 28-33. The claimed "variable" may also read on a table storing 800 numbers or N00 service offering as discussed in col. 15, lines 28-38 and the "ANI" in col.15, line 5); reading said variable from a database (database reads list in table and/or memory within the processor 12, see col. 5, lines 55-58), said database holding a value for said variable, said database

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having said value updated (the variable/numbers will always be updated, see col. 8, lines 24-42); and setting the variable equal to the value, to determine a destination of the call in response to the value (see col. 3, lines 39-45).

On one hand, Crockett does not specifically teach that "said database holding a value for said variable, and said database having said value updated in response to action by a user". However, Crockett teaches an automatic update which is preformed by the system (see col. 6, lines 66-67, col. 7, lines 1-9, col. 8, lines 63-67 and col. 9, lines 1-3). Thus, having an automated feature to be performed manually or having manually feature to be performed automatically does not raise the invention to the level of patentability.

Yet, examiner would like to introduce the Bell reference, which basically discloses that a subscriber may update/change a caller list that contains telephone numbers (see col. 5, lines 21-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of having the subscriber manually updating a list stored within a database, as taught by Bell, into the Crockett system in order to provide the user/subscriber with the speed and convenience when the user/subscriber desires to modify any kind of data or information stored within a database at the time needed.

Claims, 5-6, 8-9, 12-13, 15-16, 19-20 and 22-23 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claims 3, 10 and 17, Crockett teaches a method of computing a variable expression, in response to execution of said at least one call routing instruction, in determining said destination (this reads on the calculation that is preformed by the system to a route the call to a certain destination, see col.16 lines 12-14).

Regarding claims 4, 7, 11, 14, 18 and 21, Crockett teaches specifying by said at least one of a telephone number, trunk group, and DNIS to which the call is to be routed (this reads on incoming calls to a specific destination such as toll-free "800" numbers, see col. 15, lines 28-39).

### ***Response to Arguments***

3. Applicant's arguments filed 04/01/2005 have been considered but are moot in view of the new ground(s) of rejection.

Examiner believes that all applicant arguments are addressed in the above rejection.

### ***Conclusion***

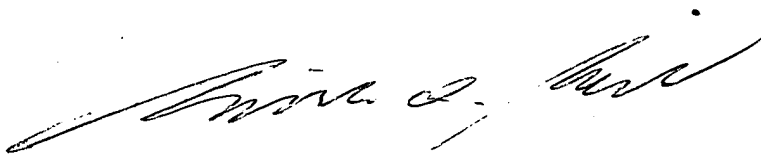
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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Examiner**  
**Rasha S. Al-Aubaidi**  
**Art Unit 2642**  
**07/08/2005**



**BING Q. BUI**  
**PRIMARY EXAMINER**